

6 FAH-2 H-450 DEBRIEFING OF UNSUCCESSFUL OFFERORS

(TL:CORH-1; 08-21-1997)

6 FAH-2 H-451 GENERAL

(TL:CORH-1; 08-21-1997)

(State Only)

a. The Contracting Officer must promptly notify each offeror (either by preaward or postaward notice) whose proposal is determined to be unacceptable or whose offer is not selected for award.

b. Within three days after the award of contracts resulting from solicitations in any procurement over the simplified acquisition threshold, the Contracting Officer notifies all of the unsuccessful offerors in writing. The notice includes:

- (1) The number of offerors solicited and proposals received;
- (2) The name and address of each offeror receiving an award;
- (3) The items, quantities and unit prices of each award; and
- (4) In general terms, the reason the offeror's proposal was not accepted.

c. When a contract is awarded on a basis other than price, unsuccessful offerors, upon their written request, must be debriefed and furnished the basis for the selection decision.

d. A debriefing can be conducted orally or in writing. It describes in general terms why the offeror was not selected for award. The debriefing should tell an unsuccessful offeror which areas of its proposal were deficient and whether the deficiencies were factors in its not having been selected. The debriefing should not reveal confidential or privileged commercial or financial information, trade secrets, or the relative merits of technical standing of the other offerors, including that of the unsuccessful offeror.

e. If an unsuccessful offeror believes that its failure to obtain the award was not justified, it will rely on the information given in the debriefing to determine whether it should seek recourse. Accordingly, it is essential that the debriefing be fair, objective, and impartial, and that the information be factual and consistent with the findings of the Contracting Officer.

f. The Contracting Officer may request the assistance of the COR and other TEP members in responding to debriefings.

6 FAH-2 H-452 PROTESTS

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(State Only)

a. Offerors may object to an award by filing a protest with the Contracting Officer or the General Accounting Office.

b. The FAR, Part 33, and DOSAR Part 633 prescribe policies and procedures for filing and processing protests. When a protest is filed, the Contracting Officer is primarily responsible for resolving it, with the assistance of the COR and TEP members. For protests filed with the Department of State and received before award, the Contracting Officer shall obtain the advice of the Office of the Legal Advisor. All communications relative to protests filed with the General Accounting Office Appeals are be coordinated with the Office of the Legal Advisor.

6 FAH-2 H-453 THROUGH H-454 UNASSIGNED